

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**WILLIAM BUDLOVE, JR.**

**Plaintiff,**

**V.**

**LIFE INSURANCE COMPANY OF  
NORTH AMERICA,**

**Defendant.**

**No: 08 C 3084**

**JUDGE CASTILLO**

**MAGISTRATE JUDGE NOLAN**

### **MOTION FOR EXTENSION OF TIME**

Defendant, LIFE INSURANCE COMPANY OF NORTH AMERICA (“LINA”), by its attorneys, Daniel K. Ryan and Peter E. Pederson, moves for a 28 day extension of time, up to July 16, 2008, in which to answer plaintiff’s complaint, stating as follows:

1. On May 28, 2008, plaintiff William Budlove, Jr. filed this suit against LINA, seeking reinstatement of long-term disability benefits and a waiver of life insurance premiums that he had received under employee welfare benefits plans that are governed by the Employee Retirement Income Security Act (“ERISA”), 29 U.S.C. §§ 1001 *et seq.* LINA issued group insurance policies that insured the disability and life insurance benefits provided by the plans.

2. On May 29, 2008, plaintiff served the complaint and summons on the Division of Insurance of the Illinois Department of Financial and Professional Regulation as LINA's agent for service of process. On June 3, 2008, LINA received the complaint and summons from the Division of Insurance. Service on LINA became effective when it received the complaint and summons. 215 ILCS § 5/112(2). Therefore, LINA's response to the complaint is due June 23, 2008 and this motion is timely.

3. LINA respectfully requests a 28 day extension of time, from today's date to July 16, 2008, in which to answer the complaint. To respond to the complaint, LINA's counsel must obtain and review the administrative record regarding plaintiff's claim for benefits, which is maintained out-of-state. After obtaining the record, counsel will prepare an appropriate responsive pleading and secure LINA's comments on the pleading.

4. This extension is not requested for purposes of delay. It will not prejudice any party to the case.

WHEREFORE, LIFE INSURANCE COMPANY OF NORTH AMERICA, respectfully requests that this Honorable Court grant it a 28 day extension of time, up to July 16, 2008, in which to answer or otherwise plead to plaintiff's complaint.

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Respectfully submitted:

LIFE INSURANCE COMPANY OF NORTH  
AMERICA

By: /s/ Peter E. Pederson  
One of its Attorneys

#### **CERTIFICATE OF SERVICE**

I, Daniel K. Ryan the undersigned attorney, certify that on June 18, 2008 I served this MOTION FOR EXTENSION OF TIME by filing it with the Court's CM/ECF system, which will make copies of the documents available to all counsel of record:

/s/ Peter E. Pederson

#### **Service List**

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